

REMARKS

This communication is being filed in response to the final Office Action having a mailing date of June 28, 2005. Claims 5, 7, 14, 16, 31, 39, and 49 are amended as shown to place the application in better form for appeal by materially reducing or simplifying the issues for appeal, and in particular, these claims are amended to address antecedent basis and/or grammatical issues. For example, at least some of these claims are amended to recite *second compression formats* (plural form), so as to provide proper and consistent antecedent basis with regards to the *second compression formats* recited in their respective base claims. Such amendments do not raise new issues that would require further search and/or consideration, since for example, they do not introduce new limitations to the claims and/or introduce new matter. Claims 1-5, 7-14, 16-18, and 27-58 are currently pending in the application. For the reasons set forth below, the applicants respectfully request Examiner LaForgia to reconsider the rejections made in the final Office Action and to allow the pending claims.

I. Status of the Claims

Claims 6, 15, and 19-26 have been canceled pursuant to the applicants' amendment of April 9, 2003. At least some of the remaining pending claims 1-5, 7-14, 16-18, and 27-58 were amended in prior-filed amendments, and currently stand rejected in the final Office Action of June 28, 2005 based on the following grounds:

Claims 1, 2, 4-5, 7-9, 27-28, and 30-34 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hayashi (U.S. Patent No. 6,160,544). Claims 3, 10, 29, and 35 were rejected under 35 U.S.C. § 103(a) as being obvious over Hayashi. Claims 11-12, 14, 16, 36-37, 39-40, 47-51, and 54-56 were rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Hayashi in view of Hendricks (U.S. Patent No. 6,201,536). Claims 43-46 appear to be rejected under 35 U.S.C. § 103(a) on the basis of Hayashi. Claims 13 and 38 were rejected under 35 U.S.C. § 103(a) as being obvious over Hayashi and Hendricks in further view of Dinwiddie (U.S. Patent No. 5,434,590). Claims 17-18, 41-42, 52-53 and 57-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi and Hendricks in further view of Aharoni (U.S. Patent No. 6,014,694).

II. Status of Amendments

The applicants' most recently filed amendment of March 30, 2005 amended independent claims 1, 11, 27, 36, 49, and 54 to recite a gateway transcoding device to transcode the single packetized stream of video information "from the first format to a plurality of compressed output streams of video information having respective second *compression formats*" (emphasis added) or similar language. For instance, independent claim 1 was similarly amended and recites "multiple compressed output streams of video information having *different* second *compression formats*" (emphasis added).

Further in the amendment filed on March 30, 2005, certain other claims were amended as follows:

Claim 2 was amended to recite "wherein the gateway transcoding device *decodes* the single packetized stream of video information having *the first format*, and then *re-encodes* the decoded single stream of video information *into* the multiple *compressed* output streams having the *second formats*" (emphasis added).

Claim 5 was amended to recite "wherein *the first format*, if *compressed*, is different in compression type from the second compression format" (emphasis added).

Claim 14 was amended to recite "wherein transcoding module *decodes* the at least one incoming video signal having *the first format*, and then *encodes* resulting signals to provide the output video signals having the *second compressed formats*" (emphasis added).

Claim 28 was amended and recites "wherein the single packetized stream of information in *the first format is compressed*" (emphasis added).

Claim 31 was amended to recite "wherein *the first format* is different in *compression type* from the second compression format" (emphasis added).

Claim 32 was amended to recite "wherein *the first format* is selected from a group consisting of MPEG-1, MPEG-2, MPEG-4, H.263, M-JPEG, M-GIF, ACELP, MP1, MP2, MP3, and G.723" (emphasis added).

Claim 39 was amended to recite "wherein transcoding module *decodes* the at least one incoming video signal, and then *re-encodes* resulting signals into the compressed output video signals having the second compressed format" (emphasis added).

Claim 40 was amended and recites “wherein the first format is selected from a group consisting of MPEG-1, MPEG-2, MPEG-4, H.263, M-JPEG, M-GIF, ACELP, MP1, MP2, MP3, and G.723.1” (emphasis added).

III. Summary of Embodiments of the Claimed Invention

A disclosed embodiment will now be discussed in comparison to the applied references. Of course, the discussion of the disclosed embodiment, and the discussion of the differences between the disclosed embodiment and subject matter described in the applied references, do not define the scope or interpretation of any of the claims. Instead, such discussed differences are intended to merely help Examiner LaForgia appreciate important claim distinctions discussed thereafter.

According to one embodiment, a single input video stream having a first format is transformed into multiple output video streams having second compression formats or other characteristics that can be different from the input video stream. This transformation is performed because there are potentially many different client devices that can respectively receive output video streams, and such client devices are not necessarily compatible or optimized for receiving the original format of the input video stream. Embodiments cover the “one-to-many” implementation disclosed by the applicants in the present application. That is, a single input stream is transcoded into multiple output streams. The output streams are compressed during the transcoding process into different second compression formats, such as MPEG-1, MPEG-2, MPEG-4, H.263, M-JPEG, M-GIF, ACELP, MP1, MP2, MP3, and G.723.1 as examples. In at least one embodiment, the single input video stream is a digital signal, with a bit rate for example that is different than a desired output bit rate, and therefore a transcoder transcodes the input video stream into the appropriate multiple output video streams having the appropriate bit rates and compression formats. *See, e.g.*, the last paragraph of page 12 through the end of the first full paragraph of page 13 of the present application, which describes the encoder 235 of Figure 2B, which compresses the output video streams. *See also* claim 7. Therefore, the transformation of the input video stream into the multiple output video streams

allows particular individual output video streams to be tailored or otherwise optimized to each client device.

In at least one embodiment, the single input video stream is decompressed (decoded) if the input video stream is received in compressed form (the “first format”) and then compressed (re-encoded) into the compressed formats (the “second compression formats”) of the output video streams. This decoding and then re-encoding feature is discussed on page 8, lines 27-32; the last line of page 12 through the end of the first full paragraph of page 13; and elsewhere in the present application

Moreover according to yet another embodiment, the particular output video stream to a client device can be changed during transmission, if dynamically changing channel conditions and/or client device conditions necessitate that a different, more optimum output video stream be selected for that client device.

As described throughout the present application, various embodiments involve delivery of the unique video streams to wireless client devices. In a wireless environment, in contrast to a hardwired environment, dynamically changing channel conditions can often have a more substantial and/or frequent impact. Moreover, wireless client devices (such as cellular telephones) have extremely disparate device capabilities among them, due at least in part on a multitude of different wireless communication protocols, manufacturers’ hardware and software designs, installed applications, and so forth. Thus, embodiments of the invention that can provide tailored video streams to such client devices are particularly advantageous.

IV. Issues to be Discussed Herein

- A. Are independent claims 1 and 27 anticipated by Hayashi and therefore unpatentable under 35 U.S.C. § 102(e)?
- B. Are independent claims 11, 36, 49, and 54 obvious and therefore unpatentable under 35 U.S.C. § 103(a) in view of Hayashi and Hendricks?
- C. Are dependent claims 2, 5, 28, and 31-32 anticipated by Hayashi and therefore unpatentable under 35 U.S.C. § 102(e)?

D. Are dependent claims 14, 39, and 40 obvious and therefore unpatentable under 35 U.S.C. § 103(a) in view of Hayashi and Hendricks?

E. Are claims 3, 10, 29, and 35 obvious and therefore unpatentable under 35 U.S.C. § 103(a) in view of Hayashi?

V. Grouping of Claims

Each of the claims are independently patentable. Thus, each claim as applied to the rejections above do not stand or fall together with respect to the appropriate rejection. Separate arguments with respect to the patentability of each claim enumerated above in Section II over the cited references are made hereinbelow.

VI. Argument

Before each of the issues listed above are addressed in detail, an overview of relevant portions of Hayashi and Hendricks is provided herein to assist Examiner LaForgia in his evaluation of the applicants' claims.

Hayashi involves a digital video distribution system, such as within a local area network (LAN) in a television studio. With reference to Figure 2 of Hayashi, a plurality of video distributors 34₁ to 34_m distributes *an analog video signal* from cameras 30₁ to 30_m to transmitter terminals 38₁ and 38_m in the LAN. Each of the transmitter terminals 38₁ and 38_m has a video encoder ENC. Thus, an analog video signal from each of the video distributors 34₁ to 34_m is supplied to the video encoder ENC, and *the video encoder ENC digitizes an analog video signal with information compression*. The resulting digital video information is assembled into multicast communication protocol-based packets and supplied thereafter to a receiver terminal. *See, e.g., column 4, lines 39-62 of Hayashi (emphasis ours).*

Column 9, lines 41-59 of Hayashi further elaborate on the information compression (performed by the video encoder ENC) on the analog video signal NTSC. That is, the video encoder ENC of Hayashi employs MPEG2 encoding for the video information (*see, e.g., col. 9, line 50*).

Thus, several conclusions can be derived from these discussions in Hayashi. First, the compression format of the output video of Hayashi is neither “different” nor are there multiple “formats” (plural), since only a single format (MPEG2) is being provided when the video information is multicasted to the receiver terminals.

Second, the analog NTSC video signal of Hayashi that is received from the video distributors 34₁ to 34_m does not have a “compressed” format (*e.g.*, a *compressed* “first format”). That is, by virtue of being in analog form, the NTSC input into the encoder ENC of Hayashi cannot at the same time be a “compressed” digital signal. As is well known by those skilled in the art, “video compression” is a method of transmitting analog audiovideo signals over a digital channel *by processing the signal digitally*. Thus, the term “compressed video” pertains to digital audiovideo signals that are transmitted at some bit rate--and does not refer to analog signals. *See, e.g.*, Newton’s Telecom Dictionary: The Official Dictionary of Telecommunications, pages 172 and 775-776, published 1998. In contrast, NTSC is an analog audiovideo signal format.

Third, since the NTSC signal of Hayashi is analog, that signal cannot be in the form of packets that are streamed. The communication of packets is unique to digital communications--signals in analog form are not packetized streams of video information.

Fourth, Hayashi does not decode the analog NTSC signal device and then re-encodes into multiple compression formats. Rather, Hayashi initially receives the analog NTSC signal, subsequently just digitizes the NTSC signal into digital form, and then encodes the digital signal into MPEG2. This digitizing is performed as part of the encoding process by the video encoder ENC (*see, e.g.*, column 4, lines 57-59 of Hayashi that states “The video encoder ENC digitizes an analog video signal with information compression.”), and so therefore, there is nothing disclosed, taught, or suggested by Hayashi that involves decoding (*e.g.*, decompression) of a packetized stream or other digital input signal, followed by re-encoding (*e.g.*, compression).

Hendricks simply involves a system that converts digital data into analog signals for transmission to analog set top terminals. *See, e.g.*, Figure 4 and the accompanying description of Hendricks. As an additional note, Hendricks involves the opposite process as compared to Hayashi (*e.g.*, Hendricks receives digital information and outputs analog signals, whereas Hayashi receives analog information and outputs digital signals).

Issue A: Are independent claims 1 and 27 anticipated by Hayashi and therefore unpatentable under 35 U.S.C. § 102(e)?

Independent claim 1 recites *inter alia* “a gateway transcoding device to transcode the single packetized stream of video information from the first format into multiple compressed output streams of video information having different second compression formats” (emphasis added). Independent claim 1 further recites that the “*first format* is selected from *compressed* and uncompressed audiovideo formats” (emphasis added). Independent claim 27 recites *inter alia* “at least one gateway transcoding device to transcode the single packetized stream of video information from the first format to a plurality of compressed output streams of video information having *respective* second compression formats” (emphasis added). Such features are not present in Hayashi.

As explained above, the input NTSC signal of Hayashi is in analog form, and therefore cannot be a packetized stream as recited in independent claims 1 and 27, since a packetized stream refers to a digital communication. Moreover, since Hayashi only provides an analog input NTSC signal, the limitation of claim 1 that recites that the first format is selected from a compressed format is not met by Hayashi for purposes of anticipation.

Next and also as explained above, the output video streams of Hayashi are all in MPEG2 compression format (*i.e.*, a single format). Thus, Hayashi does not have the plural second compression formats called for in independent claim 27, and further, Hayashi has neither the different nor the plural compression formats called for in independent claim 1. Accordingly, independent claims 1 and 27 are allowable over Hayashi under 35 U.S.C. § 102(e).

In a telephone interview held with the applicants’ attorney Dennis M. de Guzman on August 9, 2005 (see Telephone Interview Summary below), Examiner LaForgia pointed to col. 5, lines 50-57 of Hayashi, which Examiner LaForgia interpreted as not limiting Hayashi to just using MPEG2. Examiner LaForgia also pointed to col. 13, lines 13-16 of Hayashi (mentioning the use of H.261 and MPEG1 compression by the LAN when delivering signals via the transmittal terminal 38), which Examiner LaForgia interpreted as additional examples of the manner in which Hayashi can use encoding/compression formats other than MPEG2 for the output video streams.

The applicants respectfully disagree with Examiner LaForgia's interpretations above. While these teachings make it possible to use other compression techniques other than MPEG2 for the LAN shown in Figure 2 of Hayashi, Hayashi does not do so in a manner that a transcoding device produces output streams that have *different compression formats*. That is, *multiple* (or *plurality* of) compressed *output streams* having respective second compression *formats* (claim 27) or having different formats (claim 1) are not produced by Hayashi. In Hayashi, the output streams are all MPEG2 or all output streams have some other compression format, but not a mix of different compression formats. There is nothing specifically stated in Hayashi that his receiving terminals *respectively* receive *different* formats, since for instance and as further discussed in detail later below, Hayashi's receiving devices are similar devices and therefore do not need to receive different formats.

Examiner LaForgia also stated during the telephone interview that if Hayashi does not in fact disclose such claim features, then he believed that Hayashi would nevertheless be an applicable reference against independent claim 1 on the basis of obviousness. Mr. de Guzman respectfully reminds Examiner LaForgia that if independent claims 1 and 27 (and their respective dependent claims), for example, are subsequently rejected on the basis of obviousness after filing this Response, then the finality of the current Office Action should be withdrawn as the obviousness rejection based on Hayashi and/or other references would be new grounds for rejection of these claims.

Assuming hypothetically that Examiner LaForgia subsequently issues an obviousness rejection of independent claims 1 and 27, by alleging that the *second formats* recited therein are obvious in view of Hayashi, the applicants respectfully argue that there is no suggestion, teaching, or motivation in Hayashi to perform this modification. As described on column 1, lines 11-19 and on column 4, lines 15-18, Hayashi is directed towards the distribution of video information to multiple monitors in a television broadcasting station. This distribution allows a director to view monitor screens so that he can decide which video information to broadcast. In such an environment, the monitors of the studio are typically all similar devices with similar capabilities (*see, e.g.*, Figure 4), and are also connected to each other via hardwire connections and not wireless connections (*see, e.g.*, column 5, lines 14-17 and elsewhere in

Hayashi that describe hardwire connections). Thus, in this hardwire environment of Hayashi that uses receiving terminals having identical/similar capabilities, there would be no teaching, motivation, or suggestion to a person skilled in the art to provide output streams having different compression formats, which would be more suitable in a wireless environment having disparate client devices. *See* further discussion below pertaining to these issues.

Issue B: Are independent claims 11, 36, 49, and 54 obvious and therefore unpatentable under 35 U.S.C. § 103(a) in view of Hayashi and Hendricks?

Independent claims 11, 36, 49, and 54 recite *inter alia* and using varying language “a transcoding module configured to transcode the at least one incoming video signal from the first format into a plurality of second *compression formats*” (emphasis added). These are features that are not found in either Hayashi or Hendricks, whether singly or in combination.

As explained previously above, the output video streams of Hayashi are all in MPEG2 compression format (*i.e.*, a single format). Thus, the first reference Hayashi does not have the plural *compression formats* called for in independent claims 11, 36, 49, and 54. Also as previously explained above, the second reference Hendricks outputs analog signals rather than digital signals. It follows, therefore, that Hendricks cannot have compression formats for the output video signals as called for in these independent claims, since “video compression” pertains to digital signals rather than analog signals. Accordingly, independent claims 11, 36, 49, and 54 are allowable over either or both Hayashi and Hendricks.

The applicants also respectfully note here for the record that Examiner LaForgia appears to be trying to use the claimed invention as a blueprint to combine various features of the prior art to arrive at the invention. It is well settled that such use of hindsight is impermissible as a matter of law. *In re Gorman*, 18 U.S.P.Q.2d 1885, 1888 (Fed. Cir. 1991). It is the prior art references themselves that must suggest the combination. *Kimberly Clark v. J & J*, 223 U.S.P.Q. 603 (Fed. Cir. 1984). *See also* *Fromson v. Advanced Offset Plate*, 755 F.2d 1549, 1556 (Fed. Cir. 1985). The cited references, in fact, teach against combining Hayashi and Hendricks. A person skilled in the art would never look to Hendricks to supply the missing teachings of Hayashi, since as described above, Hendricks involves conversion of digital data to analog form

for transmission to analog receiving devices, whereas in contrast, Hayashi involves the reverse process of converting analog information to digital form for transmission to digital receiving devices.

Issue C: Are dependent claims 2, 5, 28, and 31-32 anticipated by Hayashi and therefore unpatentable under 35 U.S.C. § 102(e)?

Claim 2 recites “wherein the gateway transcoding device decodes the single packetized stream of video information having the first format, and then re-encodes the decoded single stream of video information into the multiple compressed output streams having the second formats” (emphasis added). Claim 5 recites “wherein the first format, if compressed, is different in compression type from the second compression format” (emphasis added). Claim 28 recites “wherein the single packetized stream of information in the first format is compressed” (emphasis added). Claim 31 (as amended herein) recites “wherein the first format is different in compression type from the second compression formats” (emphasis added). Claim 32 recites “wherein the first format is selected from a group consisting of MPEG-1, MPEG-2, MPEG-4, H.263, M-JPEG, M-GIF, ACELP, MP1, MP2, MP3, and G.723” (emphasis added). Such features are not present in Hayashi for purposes of anticipation, and therefore, all of these claims are allowable.

As discussed above, the input signal into the video encoder ENC of Hayashi is an analog NTSC signal. Hence, the “first format” of Hayashi cannot be associated with a packetized stream and/or cannot be in a compressed format and/or cannot be a compressed format that is different in compression type from the second compression formats, since such characteristics pertain to digital signals and not analog signals. Additionally, at least some of the MPEG-1, MPEG-2, MPEG-4, H.263, M-JPEG, M-GIF, ACELP, MP1, MP2, MP3, and G.723 formats recited in claim 32 for the first format pertain to digital formats, and in contrast, Hayashi only discloses the analog NTSC format for its input video signal--NTSC (which stands for “National Television Standards Committee” and pertains to the standard analog signal format used in the United States) is not one of the formats recited in claim 32.

The applicants also note that in rejecting claim 32 on page 4 of the Office Action, Examiner LaForgia appears to have misread or misinterpreted the recited *first format* of claim 32. That is, claim 32 specifically recites possible selections for the *first format*, while paragraph 16 on page 4 of the Office Action makes rejections based on the *second compression formats*. Therefore, Examiner LaForgia has not provided an accurate rejection of claim 32 (and also claim 40) on the basis of the cited prior art.

With regards to other recitations in claim 2, this claim recites that the transcoding device decodes the single packetized stream, then re-encodes the decoded stream into the multiple compressed output streams. Decoding of the packetized stream, thus comprises a decoding of a digital signal. The decoding of a digital signal is not the same as the digitization of the analog NTSC signal, as discussed in Hayashi on column 4, line 57-59 and on column 9, lines 41-43, and therefore, Hayashi does not anticipate claim 2.

Issue D: Are dependent claims 14, 39, and 40 obvious and therefore unpatentable under 35 U.S.C. § 103(a) in view of Hayashi and Hendricks?

Claim 14 recites “wherein transcoding module decodes the at least one incoming video signal having *the first format*, and then encodes resulting signals to provide the output video signals having the *second compression formats*” (emphasis added). Claim 39 recites “wherein transcoding module decodes the at least one incoming video signal, and then re-encodes resulting signals into the compressed output video signals having the second compression formats” (emphasis added). Claim 40 recites “wherein *the first format* is selected from a group consisting of MPEG-1, MPEG-2, MPEG-4, H.263, M-JPEG, M-GIF, ACELP, MP1, MP2, MP3, and G.723.1” (emphasis added). None of these features are found in Hayashi and Hendricks, whether singly or in combination, and therefore, these claims are allowable.

For example and as previously explained, Hayashi simply digitizes an input analog NTSC signal, and makes no mention of any decoding of that NTSC signal and then re-encoding into the (plural) compressed formats. Moreover, Hayashi does not use any of the recited selections for the first format, since the input signal in Hayashi is specifically stated to be an analog signal in NTSC format.

Hendricks does not cure the deficiencies of Hayashi. As previously explained above, Hendricks provides a digital-to-analog system that is opposite to Hayashi, and does not, for example, provide output signals in second *compression* formats and/or perform the recited decoding and re-encoding into the second compression formats.

Issue E: Are claims 3, 10, 29, and 35 obvious and therefore unpatentable under 35 U.S.C. § 103(a) in view of Hayashi?

These claims recite *inter alia* wireless coupling, such as a display device that is coupled to a wireless network. On page 5, paragraph 22 of the Office Action, Examiner LaForgia supported the obviousness rejection of these claims in view of Hayashi by stating that it would have been obvious to a person skilled in the art for the display device of Hayashi to be coupled to a wireless network, since portability without producing new and unexpected results involves only routine skill.

The applicants respectfully disagree with this position taken by Examiner LaForgia. As explained previously above and in the present application, a wireless environment creates all sorts of adverse effects and limitations on the quality and type of video communication that can be performed, and such effects are not necessarily present or as influential in a hardwire environment.

Hayashi is purely a hardwire environment. Moreover, since the devices of Hayashi (e.g., the transmitters and receiving devices in the LAN) are all present in the relatively sheltered and confined environment of a television studio, hardwire connections can be easily and inexpensively used to interconnect the various devices in the LAN. Because the devices are located on the same physical premises, short-run wires can be used for the hardwire interconnections. Short-run wires do not suffer from similar adverse effects that may be present when a number of wireless devices are scattered long distances throughout a wide area network. Moreover, all of the receiving devices 44/46 in Hayashi involve television monitors that are viewed by a director so as to determine which video information to broadcast to viewers (*see, e.g., column 1, lines 15-17 of Hayashi*)--thus, the television monitors are of similar capabilities (for example, they have the same internal components, as shown in Figure 4 of Hayashi).

There is no teaching, suggestion, or motivation to modify the hardwired receiving devices of Hayashi into wireless devices. First, doing so is not cost-effective, since the short-run wires in the studio are already present and so implementing wireless devices (if even possible) would involve a significant investment in finances and technical renovations. Second, since the television studio involves short-run communications to a relatively small number of similar receiving devices (*e.g.*, just a few identical television monitors), there is no motivation to provide multiple output video signals having different compression formats that account for either or both: 1) wireless channel conditions that affect traffic to/from a large number of wireless end users (such as thousands of cellular telephones), and/or 2) different wireless client device capabilities.

VII. Telephone Interview Summary

On August 9, 2005, Examiner LaForgia conducted a telephone interview with the undersigned attorney Dennis M. de Guzman. The applicants thank Examiner LaForgia for taking the time from his busy schedule to speak to Mr. de Guzman regarding the claims and the prior art, and for helping move prosecution forward in a positive and cooperative manner.

During the telephone interview, Mr. de Guzman discussed embodiments of the applicants' invention and directed Examiner LaForgia's attention to certain recitations contained in independent claim 1, namely, "a gateway transcoding device to transcode the single packetized stream of video information from the first format into multiple compressed output streams of video information having different second compression *formats*..." Mr. de Guzman explained that the terms "different" and the plural use of "formats" in this recitation covers the embodiments described in the specification and further discussed on page 17 (second full paragraph) in the Remarks section of the applicants' prior amendment filed on March 30, 2005. In particular, an embodiment provides a "one-to-many" technique, wherein a single input video stream is transcoded into a plurality of output streams, wherein the output streams can have different compression formats (such as MPEG2, MPEG1, H.263, etc.) from one another. In this manner, output streams can be tailored to a wide variety of client devices that may have different capabilities from one another.

In contrast, as Mr. de Guzman explained, Hayashi does not disclose, teach, or suggest this feature. For example in the Office Action, Examiner LaForgia cited column 9, lines 41-59 of Hayashi as disclosing this feature. However, this section in Hayashi (as well as other discussions in Hayashi) only talks about providing MPEG2 video information (*see, e.g.*, col. 9, line 50) for the video information. Thus, the format of the output video of Hayashi is neither “different” nor are there multiple “formats” (plural), since only a single format (MPEG2) is being provided.

In response to Mr. de Guzman’s explanation of this recitation in claim 1, Examiner LaForgia pointed to col. 5, lines 50-57 of Hayashi, which Examiner LaForgia interpreted as not limiting Hayashi to just using MPEG2. Examiner LaForgia also pointed to col. 13, lines 13-16 of Hayashi (stating the use of H.261 encoding/compression), which Examiner LaForgia interpreted as additional examples of the manner in which Hayashi can use encoding/compression formats other than MPEG2.

Mr. de Guzman agreed that it may be possible for Hayashi to provide formats other than MPEG2. However, Mr. de Guzman did not agree that these teachings meet the limitations of claim 1 that recites “multiple compressed output streams of video information having different second compression *formats*.” That is, the system of Hayashi can provide all output streams in MPEG2 or all output streams in H.261, but not output streams a mix of both formats as provided in claim 1.

In response, Examiner LaForgia stated that he will need additional time to review the claims and Hayashi in further detail, and suggested that Mr. de Guzman submit his arguments in writing as a response to the final Office Action. Examiner LaForgia also stated that if Hayashi does not in fact disclose the discussed claim feature, then he believed that Hayashi would nevertheless be an applicable reference on the basis of obviousness.

Additional claims were discussed during the telephone interview. More particularly, Mr. de Guzman directed Examiner LaForgia’s attention to claim 2, which recites that the gateway transcoding device “decodes the single packetized stream of video information having the first format, and then re-encodes the decoded single stream of video information into the multiple compressed output streams having the second formats” (emphasis added). In

contrast, Mr. de Guzman explained that Figure 2 of Hayashi receives an NTSC signal (an analog signal), digitizes the NTSC signal into digital form, and then encodes the digital signal into MPEG2. Mr. de Guzman explained that this is different from what is recited in the claim because there is no decoding and re-encoding in Hayashi. Rather, Hayashi only digitizes an analog signal (which is not a compressed signal) and then encodes the digitized signal into the compressed (MPEG2) format.

Again, Examiner LaForgia stated that he will need additional time to review the claims and Hayashi in further detail with regards to this claimed feature, and suggested that Mr. de Guzman submit his arguments in writing as a response to the final Office Action.

No agreements were reached during the telephone interview as to the allowability of any claims. The discussion in the previous sections above further elaborates on the points of distinction discussed during the telephone interview and further discusses limitations in various claims that are allowable over the cited references.

VIII. Conclusion

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the applicants' attorney Dennis M. de Guzman has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, Examiner LaForgia is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, Examiner LaForgia is encouraged to contact Mr. de Guzman at (206) 622-4900. For instance, if any of the claims can be rewritten to allowable form by way of Examiner's amendment, such as for instance incorporating recitations from other claims and/or by making amendments deemed acceptable by Examiner

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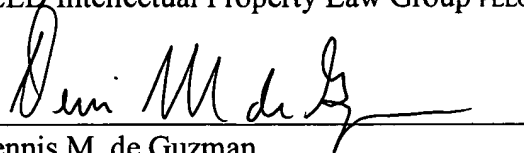
LaForgia, then Examiner LaForgia is kindly requested to telephone Mr. de Guzman to discuss the amendments and to otherwise expedite allowance of the application.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited

Respectfully submitted,

SEED Intellectual Property Law Group PLLC

A handwritten signature in black ink, appearing to read "Dennis M. de Guzman", is written over a horizontal line.

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